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*Attorneys for Defendants AXT, Inc.,
Morris S. Young, and Gary L. Fischer*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CRAIG NOWAKOWSKI, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

AXT, INC., MORRIS S. YOUNG, and GARY L.
FISCHER,

Defendants.

Case No.: 1:24-cv-03341-DLI-JRC

**STIPULATION AND [PROPOSED]
ORDER TO TRANSFER ACTION TO THE
UNITED STATES DISTRICT COURT FOR
THE NORTHERN CALIFORNIA
PURSUANT TO 28 U.S.C. ¶ 1404(a)**

Judge: Hon. Dora Lizette Irizarry

Magistrate Judge: Hon. James R. Cho

Plaintiff Craig Nowakowski (“Plaintiff”) and Defendants AXT, Inc., Morris S. Young, and Gary L. Fischer (together, “Defendants,” and collectively with Plaintiff, the “Parties”), by and through their respective counsel, hereby submit the following stipulation:

WHEREAS, on May 6, 2024, Plaintiff filed this lawsuit against Defendants (ECF No. 1);

WHEREAS, it is Defendants’ position that Plaintiff’s lawsuit should be transferred to the United States District Court for the Northern District of California pursuant to 28 U.S.C. § 1404(a) because AXT, Inc. is headquartered in Fremont, California;

WHEREAS, the United States District Court for the Northern District of California is a court in which this lawsuit “might have been brought” pursuant to 28 U.S.C. § 1404(a);

The Parties HEREBY STIPULATE that this case may be transferred to the United States District Court for the Northern District of California and jointly request that the Court order the transfer of venue.

Dated: May 7, 2024

FRESHFIELDS BRUCKHAUS DERINGER US LLP

By: /s/ Eunice Leong

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Counsel for Defendants

Dated: May 7, 2024

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Counsel for Plaintiffs

[PROPOSED] ORDER

Pursuant to the Parties' Stipulation to Transfer Action to United States District Court for the Northern District of California Pursuant to 28 U.S.C. § 1404(a), IT IS SO ORDERED. The Clerk is directed to transfer this case to the United States District Court for the Northern District of California.

Dated: _____

By: _____
Hon. Dora Lizette Irizarry